

State of Kansas
Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations Revisions

The Kansas Department of Health and Environment (KDHE), Division of Health, Office of Surveillance and Epidemiology and Bureau of Child Care & Health Facilities, will conduct a public hearing on Wednesday, June 4, 2008 at 9:00 a.m. in the Crumline Room (5th floor) of the Curtis State Office Building, 1000 SW Jackson, Topeka to consider the adoption of the following proposed revised regulations: Vaccinations Required for Children entering schools, child care facilities, family day care homes, and preschool or day care programs operated by a school; Registered Family Day Care Homes For Children; Licensed Day Care Homes or Group Day Care Homes; and Child Care Centers and Preschools. There is also a new regulation to implement the revisions.

A summary of the proposed regulations and the estimated economic impact follows:

K.A.R. 28-1-20 Summary

Revises minimum vaccinations for children to enter KS schools and minimum vaccinations for children and adolescents in child care facilities, family day care homes, and preschool or daycare programs operated by a school.

K.A.R. 28-4-117 Summary

Describes the health care requirements for children under 16 years of age enrolled in or residing in a licensed day care home or group day care home. Updates the minimum immunizations required for children under 16 years of age and brings them into alignment with acceptable medical standards for the protection from the diseases specified in K.A.R. 28-1-20.

K.A.R. 28-4-120 Summary

Provides specific information regarding the application process, including the requisite forms to be utilized by individuals wanting to maintain or to register a family day care home.

K.A.R. 28-4-121 Summary

Updates the required immunizations for children under 16 years of age enrolled in a registered family day care home and brings them into alignment with acceptable medical standards for the protection from the diseases specified in K.A.R. 28-1-20. This is a new regulation.

K.A.R. 28-4-430 Summary

Describes the requirements for conducting, maintaining, and documenting health assessments for children enrolled in child care centers and preschools. Updates the minimum immunizations required for children under 16 years of age and brings them into alignment with acceptable medical standards for the protection from the diseases specified in K.A.R. 28-1-20.

Economic Impact

There are no additional antigens recommended that children entering school would be required to have. It does clarify that varicella vaccinations would follow recommendations of the national Advisory Committee on Immunization Practices (ACIP), which currently recommends two instead of one varicella vaccination. There would be an added cost for that second vaccination for those children who have not received the second dose as recommended.

For children in child care facilities, family day care homes, and preschool or day care programs operated by a school, hepatitis A, hepatitis B, varicella and age appropriate *Haemophilus influenza b* and pneumococcal vaccines would be added to the list of required vaccinations. Hepatitis B and varicella vaccines are already required of children entering schools in Kansas.

The Vaccines For Children program (VFC) is a federal entitlement program that will pay for any ACIP recommended vaccine. Children on Medicaid, Native American children and those with no insurance coverage are VFC eligible. In KS, that is about 48% of our children, or 110,000 of 0-5 year olds. Other programs in Kansas pay for vaccines for children who are under-insured. According to KDHE data, approximately 25,000 children 0-5 years old are eligible for that program. Approximately 135,000 children would qualify for these programs. All local health departments participate in these programs as well as many clinics, hospitals and private health care providers.

Approximately 93,000 children have health care benefits. In KS, insurance should pay for all costs of vaccines that are required by the State, so costs to parents, would be the cost of a co-payment for a visit, typically \$7-10. Since the suggested vaccination schedule recommends several vaccines given at each visit, the total cost to parents of insured children is likely to total \$20 per child (two additional visits that would otherwise not have occurred) for a total cost to Kansas private citizens of \$1,860,000 for the first year the regulations would be in effect.

Cost benefit analyses have not been done for all vaccinations, but it is estimated that routine hepatitis A vaccination for children at age 1 year compared to hepatitis A vaccination at the current rate would prevent over 1,000 additional infections in Kansas at an average total savings of \$45,000 per prevented case (*Pediatrics*; 2007; 119; 12-29).

The time period between publication of this notice serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed new regulations. At any time during the public comment period any interested parties may submit written comments to Joe Kroll, Kansas Department of Health and Environment, Bureau of Child Care & Health Facilities, 1000 SW Jackson, Ste. 200, Topeka, KS 66612-1367. Written comments can also be sent E-mail to jkroll@kdhe.state.ks.us. At the hearing all interested parties intending to provide oral comments will be given a reasonable opportunity to present their view of the proposed revisions to the regulations during the hearing. In order to give each individual or entity

an opportunity to present their view it may be necessary for the hearing officer to request that each presenter limit any of their presentation to an appropriate time frame.

Complete copies of the proposed regulations, corresponding economic impact statement, may be obtained on the Office of Surveillance and Epidemiology website: www.kdhe.state.ks.us/epi or by contacting the Office of Surveillance and Epidemiology, 1000 SW Jackson, Suite 300, Topeka, KS 66612-1367, 785-296-1127.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Connie Roberts by phone at 785-296-2898 or by fax at 785-291-3775.

Roderick L. Bremby
Secretary of Health and Environment